

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE O. N. EQUITY SALES COMPANY,

Plaintiff,

No. C 07-02844 JSW

v.

DANIEL MARIA CUI,

Defendant.

**ORDER DENYING OBJECTION
AND AFFIRMING THE
DISCOVERY ORDER**

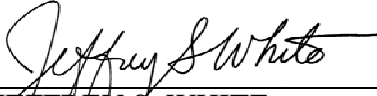
Now before the Court are the objections filed by plaintiff O.N. Equity Sales Company (“ONESCO”) to Magistrate Judge Maria-Elena James’ Discovery Order dated October 19, 2007 (the “Discovery Order”). Having carefully reviewed the parties’ papers and considered their arguments and the relevant legal authority, and good cause appearing, the Court hereby DENIES ONESCO’s objections and AFFIRMS the Discovery Order.

The District Court may modify or set aside any portion of a magistrate’s ruling on non-dispositive pre-trial motions found to be “clearly erroneous or contrary to law.” Fed. R. Civ. P. 72(a); *see also, e.g., Grimes v. City and County of San Francisco*, 951 F.2d 236, 241 (9th Cir. 1991). A ruling is clearly erroneous if the reviewing court, after considering the evidence, is left with the “definite and firm conviction that a mistake has been committed.” *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948).

1 After a careful review of the Discovery Order, this Court finds that the Judge James'
2 ruling was not clearly erroneous or contrary to law. Therefore, this Court DENIES ONESCO's
3 Objections and AFFIRMS the Discovery Order dated October 19, 2007.

4 **IT IS SO ORDERED.**

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6 Dated: November 26, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE